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Attorneys for Defendant
UNIVERSITY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JOHN DOE 1, JOHN DOE 2, JOHN DOE 3,
JOHN DOE 4, JOHN DOE 5, JOHN DOE 6,
JOHN DOE 7, JOHN DOE 8, JOHN DOE 9,
JOHN DOE 10, JOHN DOE 11, JOHN DOE
12, JOHN DOE 13, and JOHN DOE 14
individually and on behalf of all others
similarly situated,

Plaintiffs,

VS.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION, THE UNIVERSITY OF
SAN FRANCISCO, ANTHONY N. (AKA
NINO) GIARRATANO, and TROY
NAKAMURA.

Defendants.

Case No. 3:22-cv-01559-LB

**DEFENDANT UNIVERSITY OF SAN
FRANCISCO'S STATEMENT IN
SUPPORT OF SEALING REQUEST
(ECF No. 265)**

Civil Local Rule 79-5(f)

Judge: Hon. Laurel Beeler

Trial Date: None Set

ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL

I. INTRODUCTION

Pursuant to Civil Local Rule 79-5(f), Defendant University of San Francisco (“USF”) submits this statement in support of the Administrative Motion to Consider Whether Another Party’s Material Should be Sealed (ECF No. 265), which concerns the unredacted versions of the exhibits to Plaintiffs’ Motion for Class Certification, filed on Nov. 21, 2024.

II. THE UNREDACTED VERSIONS OF THE EXHIBITS SHOULD REMAIN SEALED UNDER LOCAL RULE 79-5.

The materials subject to sealing were marked by Defendants University of San Francisco, Anthony N. Giarratano, or Troy Nakamura as “Confidential” or “Highly Confidential” under the Stipulated Protective Order that has been entered in this case. Many of these materials contain confidential information and testimony from a private arbitration between USF and Coach Giarratano that relates to this matter. Although the Court recently ruled that some portions of the arbitration materials are discoverable, this does not affect their confidential status under the protective order.

Other materials, including Plaintiff's expert report, are appropriately redacted because they include specific personal information from individual employees or quotations from testimony during the arbitration. The materials filed under seal also contain the names of the Plaintiffs and their family members, which Plaintiffs have sought to maintain as confidential throughout this proceeding.

III. CONCLUSION

For the foregoing reasons, USF respectfully requests that this Court keep sealed the exhibits filed under ECF No. 265.

Dated: Nov. 29, 2024

Respectfully submitted,

STEPTOE LLP

By: /s/ Jonathan M. Baum
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